

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

|  |   |                       |
|--|---|-----------------------|
| LARRY FREUDENBERG, Individually, and       | : |                       |
| On Behalf Of All Others Similarly Situated | : | 07 Civ. 8538 (RWS)    |
|  | : | Judge Robert W. Sweet |
| v.   | : |                       |
|  | : |                       |
| E*TRADE FINANCIAL CORPORATION,             | : |                       |
| MITCHELL H. CAPLAN, AND                    | : |                       |
| ROBERT J. SIMMONS                          | : |                       |
|  | : |                       |

[Captions continued on the following page]

## **RULE 7.1 DISCLOSURE STATEMENT**

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*Counsel for the Institutional Investor  
Group and Proposed Lead Counsel for  
the Class*

|  |   |                       |
|--|---|-----------------------|
| _____                                      | : |                       |
| WILLIAM BOSTON, Individually, and          | : |                       |
| On Behalf Of All Others Similarly Situated | : | 07 Civ. 8808 (RWS)    |
|  | : | Judge Robert W. Sweet |
| v.   | : |                       |
|  | : |                       |
| E*TRADE FINANCIAL CORPORATION,             | : |                       |
| MITCHELL H. CAPLAN, AND                    | : |                       |
| ROBERT J. SIMMONS                          | : |                       |
| _____                                      | : |                       |
| ROBERT D. THULMAN, Individually, and       | : |                       |
| On Behalf Of All Others Similarly Situated | : | 07 Civ. 9651 (RWS)    |
|  | : | Judge Robert W. Sweet |
| v.   | : |                       |
|  | : |                       |
| E*TRADE FINANCIAL CORPORATION,             | : |                       |
| MITCHELL H. CAPLAN, AND                    | : |                       |
| ROBERT J. SIMMONS                          | : |                       |
| _____                                      | : |                       |
| WENDY M. DAVIDSON, Individually, and       | : |                       |
| On Behalf Of All Others Similarly Situated | : | 07 Civ. 10400 (UA)    |
|  | : | Judge Unassigned      |
| v.   | : |                       |
|  | : |                       |
| E*TRADE FINANCIAL CORPORATION,             | : |                       |
| MITCHELL H. CAPLAN, AND                    | : |                       |
| ROBERT J. SIMMONS                          | : |                       |
| _____                                      | : |                       |
| JOSHUA FERENC, Individually, and           | : |                       |
| On Behalf Of All Others Similarly Situated | : | 07 Civ. 10540 (SHS)   |
|  | : | Judge Sidney H. Stein |
| v.   | : |                       |
|  | : |                       |
| E*TRADE FINANCIAL CORPORATION,             | : |                       |
| MITCHELL H. CAPLAN, AND                    | : |                       |
| ROBERT J. SIMMONS                          | : |                       |
| _____                                      | : |                       |

Pursuant to Federal Rule of Civil Procedure 7.1, and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for AFA Livförsäkringsaktiebolag; AFA Sjukförsäkringsaktiebolag, AFA Trygghetsförsäkringsaktiebolag, and Kollektivavtalsstiftelsen Trygghetsfonden TSL

(hereinafter, "AFA Insurance"), a private-non governmental party, certifies on information and belief that (1) AFA Insurance has no parent corporation; and (2) there are no publicly held corporations that own 10% or more of its stock.

The undersigned, counsel of record for AFA Insurance certifies that they are not aware of any interested parties other than those participating in this case.

Dated: December 3, 2007  
New York, New York

Respectfully submitted,

/s/ Geoffrey C. Jarvis  
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